

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 463, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between lines 5 and 6, begin a new paragraph and insert:
- 2 "SECTION 2. IC 12-7-2-189.8 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2003]: **Sec. 189.8. "Target statewide average**
- 5 **occupancy rate", for purposes of IC 12-15-14, means the goal for**
- 6 **the percentage of occupied licensed health facility beds in Indiana.**
- 7 SECTION 3. IC 12-15-14-2, AS AMENDED BY P.L.160-2001,
- 8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 9 JULY 1, 2003]: Sec. 2. (a) Payment of nursing facility services shall be
- 10 determined in accordance with 42 U.S.C. 1396a(a)(13)(A) and any
- 11 other applicable federal statutes or regulations governing such
- 12 payments.
- 13 (b) The office may not require a provider to submit non-Medicaid
- 14 revenue information in the provider's annual historical financial report.
- 15 Non-Medicaid revenue information obtained by Medicaid auditors in
- 16 the course of their audits may not be used for public reporting
- 17 purposes.
- 18 (c) The office may only request complete balance sheet data that
- 19 applies directly to the provider's facility. Complete balance sheet data
- 20 acquired by the office under this subsection:
- 21 (1) is confidential; and

(2) may only be disclosed:

(A) in the aggregate; or

(B) for an individual facility;

if the office removes all non-Medicaid data.

(d) **The following target statewide average occupancy rates apply to a health facility that is licensed under IC 16-28 and receives Medicaid payments:**

(1) **For calendar year 2004, the target statewide average occupancy rate is seventy-five percent (75%).**

(2) **For calendar year 2005, the target statewide average occupancy rate is eighty-five percent (85%).**

(3) **After December 31, 2005, the target statewide average occupancy rate is ninety percent (90%).**

(e) **The office may adopt statewide policies to facilitate achievement of the target statewide average occupancy rate. These policies may include changing the Medicaid reimbursement system.**

(f) **The office of the secretary shall adopt rules under IC 4-22-2 to implement the reimbursement system required by this section."**

Page 2, between lines 32 and 33, begin a new paragraph and insert:
"SECTION 7. [EFFECTIVE JULY 1, 2003] (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(b) Beginning in 2004, the office shall report the following to the select joint commission on Medicaid oversight established by IC 2-5-26-3 not later than October 31 of each year:

(1) **A summary of any Medicaid program policy that was implemented the preceding calendar year in order to facilitate achievement of the target statewide average occupancy rate described in IC 12-15-14-2, as amended by this act.**

(2) **The most current statewide average health facility occupancy rates following the implementation of a policy described in subdivision (1).**

(3) **Any Medicaid program policy change that the office is considering to achieve the target statewide average occupancy rate described in IC 12-15-14-2, as amended by this act.**

(c) This SECTION expires December 31, 2006."

Page 2, line 33, after "(a)" insert **"As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.**

(b)".

Page 2, line 40, delete "(b)" and insert **"(c) If an increase in the federal financial participation that is generated through changing**

- 1 **the methodology in implementing an intergovernmental transfer**
 2 **by a county health facility occurs, the office shall use the increase**
 3 **in funds to supplement Medicaid reimbursement for health**
 4 **facilities under the following:**
 5 **(1) IC 12-15-14-6;**
 6 **(2) IC 12-15-14-7; and**
 7 **(3) IC 12-15-14-8;**
 8 **all as added by this act.**
 9 **(d)".**
 10 Page 3, line 5, delete "(c)" and insert "(e)".
 11 Renumber all SECTIONS consecutively.
 (Reference is to SB 463 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Finance.

Committee Vote: Yeas 9, Nays 0.

Senator Miller, Chairperson